

question. The ayes and noes shall be taken in committee of the whole, in the same manner as they are taken in Convention."

Mr. BOWIE. In committee of the whole?

Mr. SOLLERS. In committee of the whole! I do it from the best motive. We know that much of the delay in the transaction of business is to be attributed to the fact that gentlemen speak more than twice on the same subject.

On motion of Mr. MERRICK, the Convention passed to the Orders of the Day.

The President laid before the Convention a report from the clerk of the levy court of Calvert county, in obedience to the order of the Convention of 15th November, containing a statement exhibiting the aggregate valuation, rate of tax, and each general expenditure, &c.,

Which was read and referred to the committee on Representation.

Also, laid before said Convention, a report from said clerk, in obedience to the order of the Convention of the 2nd of December, relative to the fees and perquisites paid the Attorney General and his Deputies by Calvert county;

Which was read and referred to the committee appointed on the Attorney General and his Deputies.

THE ELECTIVE FRANCHISE.

The Convention resolved itself into committee of the whole, Mr. BLAKISTONE in the chair, and resumed the consideration of the report of the Committee on the Elective Franchise.

The pending question was on the motion of Mr. PHELPS, to amend the amendment offered by Mr. CHAMBERS, of Kent, as a substitute for the first section of the report, by inserting after the words "Howard District," the following:

"And five days in the election district or ward of the city of Baltimore."

Mr. RICAUD was entitled to the floor. He said, he should not have undertaken to say one word on this question, but for the peculiar circumstances by which he was surrounded. As a junior member of the delegation from the county of Kent, he had found himself differing widely not only from the other members of that Delegation, but from the party with which he had hitherto acted, and with which he hoped it might still be his pleasure to be associated. Entertaining, however, a conscientious difference of opinion with them, he felt it to be his duty, candidly and plainly to express his sentiments.

As regarded the constitutional power, he thought that if there was a question easy of solution, it was that this Convention, called together for the purpose of making an organic law, had the right to throw around the elective franchise such guards and restraints as they might think best calculated to secure the safety of that valuable right which it involved. He could not agree with the gentleman from Prince George's county, (Mr. BOWIE,) that to impose such restrictions, was to derogate from the rights of the people as to become usurpers of these rights.

Nor could he agree with the gentleman from Queen Anne, (Mr. SPENCER,) that in this matter

were involved the humble rights of humble individuals only. The rights of all were concerned. It was as foreign to his (Mr. R's.) purpose, to trample upon the rights of the humble as upon those of the most exalted.

The language of the report of the committee was such as, in the opinion of a majority of the Convention, to make distinctions as to the citizens of the State. It drew a distinction between the rights of the native citizen and those of the foreign citizen. He was opposed to all such distinctions, and doubted the policy of making them. His opinion was, that after a foreigner had resided amongst us for five years, and had acquired the civil rights granted to him by the laws of Congress, the very acquisition of these rights, entitled him to his political rights, if he was ever to be entitled to them. His attachment to our institutions, if ever that attachment was to exist at all, would by that time be such as to authorise the extension of political rights to him.

Other questions had been introduced—questions which, it seemed to him, were not germane to the subject matter before the committee, and which were calculated to increase, rather than allay, the excitement which had characterised the debate. Party politics had been introduced? Why should this be so? Gentlemen came into this body, not as Democrats, nor as Whigs, but as representatives of the people, elected to carry out their views in the formation of such an organic law as would promote the best interests of the State.

Mr. R. then proceeded to trace the action of the State, from the Constitution of '76, on the subject of the elective franchise. He followed it through the imposition and subsequent revocation of the property qualification—illustrated the operation of that law—explained the modifications which had from time to time been made in the provisions regulating the elective franchise, and the reasons which had influenced the policy. He denied that there was any authority in the Constitution or the laws, for the qualification (sleeping one night) which, gentlemen had said the judges of election and the laws prescribed; contended that the only requirement was a *bona fide* intention on the part of the voter to remove from one place to another; and referred to the section of the elections laws which inflicted pains and penalties upon any one who should reside in one district, and should, without a *bona fide* intention to remove, fraudulently attempt to vote in a district to which he did not belong.

But if frauds were practised—if violations of the elective franchise took place by which honest voters were cheated out of their legitimate rights, and if the elective franchise was the great constitutional basis upon which rested the liberties, the rights and the interests of every man, how were these frauds to be prevented, or these rights and liberties to be preserved by a residence of five days in the county or district? The very fact of prescribing a remedy so slight for an evil so serious, was, to his mind, sufficient in itself to induce the Convention to vote down the proposition. A man might have been a resi-